

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4903 OF 2001

Shri Pradeep Shravan Bachhav ...
Petitioner
V/s
State of Maharashtra & Ors...
Respondents.

Mr.R.K.Mendadkar, Adv. for the petitioner.

Mr.P.P.Kakade, AGP for respondents 1 to 4.

CORAM: V.G. PALSHIKAR,

Ag.C.J.

AND

SMT.NISHITA MHATRE,

J.

31.01.2006.

PC:

By this petition the petitioner has challenged the order passed by the Caste Scrutiny Committee invalidating the claim of the petitioner to a particular caste.

2. When the matter came for final hearing today learned counsel appearing on behalf of the petitioner submitted to us that during the pendency of this petition from year 2001 four near relations of the petitioner have got their caste certificates validated from the Caste Scrutiny Committee. He claims that the relations whose certificates are held valid are his close relations and therefore the grant of those certificates or validation thereof would create substantial difference in appreciation of the case of the petitioner. However in our opinion, it is neither possible nor permissible to allow him to lead evidence in writ jurisdiction.

3. Interest of justice would be served if the impugned order is set aside and the matter is remitted back to the Caste Scrutiny Committee for decision in accordance with law after permitting the petitioner to place on record such certificates as he claims would enable him to prove validity of his caste. In view of the fact that the matter is pending for the last so many years, the

Caste Scrutiny Committee is directed to decide the matter as early as possible preferably within six months. Petitioner accordingly stands disposed of.